

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
APPLICATION

Inventor(s): ENGEL et al.

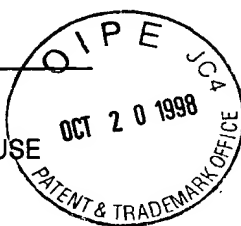
Appl. No.: 08 468,145

Series Code ↑

Serial No. ↑

Filed: June 6, 1995

Title: OLIGOPEPTIDE LYOPHILISATE ... USE



Group Art Unit 1811

Examiner: N. Minnifield

Atty. Dkt. PMS 217506

93 116 PH

M#

Client Ref

(Our Deposit Account No. 03-3975)

(Our Order No. 11468 217506)

C#

M#

Date: October 20, 1998

Asst. Commissioner of Patents  
Washington, D.C. 20231

Sir:

**REPLY/AMENDMENT/LETTER**

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

**FEE REQUIREMENTS FOR CLAIMS AS AMENDED**

1. "Small Entity" statement(s) filed		Claims remaining after amendment		Highest number previously paid for		Present Extra		Large/Small Entity		Additional Fee		Fee Code	
<input type="checkbox"/> previously <input type="checkbox"/> herewith (No.)													
2. Total Effective Claims		20		**minus 20		0		x \$22/\$11 =		+ 0		103/203	
3. Independent Claims		4		***minus 4		0		x \$82/\$41 =		+ 0		102/202	
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) .....								+ \$270/\$135 =		+ 0		104/204	
5. Original due Date: OCTOBER 20, 1998		<input type="checkbox"/> NONE											
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo)		\$110/\$55 =				+ 0				115/215	
		(2 mos)		\$400/\$200 =								116/216	
		(3 mos)		\$950/\$475 =								117/217	
7. Enter any previous extension fee paid since above original due date and subtract													
8.								Extension Fee Attached		+ 0			
9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....								+ \$110/\$55 =		+ 0		148/248	
10. If IDS attached requires Official Fee, .....								+ \$240 =		+ 0		126	
or if Rule 97(d) Petition .....								+ \$130 =		+ 0		122	
11. After-Final Request Fee per rules 129(a) and 17(r) .....								+ \$790/395 =		+ 0		146/246	
12. No. of additional inventions for examination per Rule 129(b) .....								x \$790/395 ea =		+ 0		149/249	
13. Petition fee for										+			
14.								TOTAL FEE ENCLOSED =		\$0			

15. \*If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

16. \*\*If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

17. \*\*\*If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown in the heading hereof, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

**Pillsbury Madison & Sutro LLP**  
**Intellectual Property Group**

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Sig:

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments

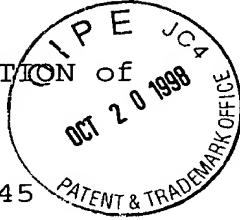
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of  
ENGEL et al

Appln. No. 08/468,145

Filed: June 6, 1995

Title: OLIGOPEPTIDE LYOPHILISATE, THEIR PREPARATION AND USE



Group Art Unit: 1811

Examiner: N. Minnifield

#17  
A.G.J.  
10/22/98  
(NE)

\* \* \* \* \*

October 20, 1998

**RESPONSE**

Hon. Commissioner of Patents  
and Trademarks  
Washington, D C. 20231

Sir:

In response to the Office Action issued July 20, 1998,  
please consider the following remarks.

**REMARKS**

Claims 12-23 are under examination. Reconsideration is  
requested.

Claims 12-23 were rejected under 35 USC § 103 as being  
obvious over Callahan et al., Finkenaur, Reissman et al. and  
Moore, taken with Sauerbier et al. This rejection is  
traversed for the following reasons.

It is the Examiner's position that a skilled artisan  
would have been motivated to combine the cited references to  
realize a method of production of a sterile cetorelix  
lyophilisate by dissolution in acetic acid, sterile filtration  
and subsequent lyophilization.

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OK to  
enter  
10/29/98  
NM